



**ERIC GIBSON**  
DIRECTOR

## County of San Diego

### DEPARTMENT OF PLANNING AND LAND USE

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### MITIGATED NEGATIVE DECLARATION

Project Name: Carnevale Minor Subdivision (4 lots plus a remainder lot)

Project Number(s): 3200-21133 (TPM), 3910-08-14-015 (ER)

**This Document is Considered Draft Until it is Adopted by the Appropriate  
County of San Diego Decision-Making Body.**

This Mitigated Negative Declaration is comprised of this form along with the  
Environmental Initial Study that includes the following:

- a. Initial Study Form
  - b. Environmental Analysis Form and attached extended studies for biological resources, cultural resources, agricultural resources, noise, fire protection, groundwater, stormwater and drainage
1. California Environmental Quality Act Mitigated Negative Declaration Findings:

Find, that this Mitigated Negative Declaration reflects the decision-making body's independent judgment and analysis, and; that the decision-making body has reviewed and considered the information contained in this Mitigated Negative Declaration and the comments received during the public review period; and that revisions in the project plans or proposals made by or agreed to by the project applicant would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and, on the basis of the whole record before the decision-making body (including this Mitigated Negative Declaration) that there is no substantial evidence that the project as revised will have a significant effect on the environment.

2. Required Mitigation Measures:

Refer to the attached Environmental Initial Study for the rationale for requiring the following measures:

**A. TRANSPORTATION**

1. The payment of the Transportation Impact Fee, which will be required at issuance of building permits, in combination with other components of this program, will mitigate potential cumulative traffic impacts to less than significant.

**B. NOISE**

1. **NOISE RESTRICTION EASEMENT: [DPLU, BPPR] [DPLU, PCC] [MA] [DPLU, FEE X 1] Intent:** In order to reduce the exposure to noise levels in excess of standards established by the [County of San Diego General Plan Noise Element \(Policy 4.b\)](#), and the [County of San Diego CEQA Noise Guidelines for Determining Significance](#), a noise restriction easement shall be placed on the parcel to reduce the noise exposure of land uses for sensitive receptors below levels of significance. **Description of requirement:** A Noise Restriction Easement as indicated on the approved Tentative Parcel Map, over the first 80 feet from the centerline of Harbison Canyon Road on portions of the Remainder Parcel, shall be granted on the map. The said easement shall include and shall comply with the following:
  - a. Prior to the approval of any Building Plan and issuance of any Building Permit, a County Approved Acoustical Consultant, shall perform an acoustical analysis, which demonstrates that the proposed **residential dwelling** unit(s) will not be exposed to present and anticipated future noise levels exceeding the allowable sound level limit of the General Plan community noise equivalent levels (CNEL) of 45 dB for interior noise, and a (CNEL) of 60dB for exterior noise levels. Exterior noise sensitive land uses include all Group or Private Usable Open Space as defined by [the General Plan Noise Element \(Policy 4.b\)](#).
  1. Future traffic noise level estimates, must utilize a Level of Service "C" traffic flow for a Light Collector roadway for Harbison Canyon Road, which is its

designated General Plan Circulation Element buildout roadway classification.

- b. The acoustical analysis shall make recommendations that shall be implemented in the project design and building plans, so the proposed structures and project site can comply with the noise standards referenced above.
- c. The unauthorized removal of documented noise control measures at a future date after the initial condition is satisfied shall make the affected noise sensitive land use still subject to this building restriction for protection of these uses before any future building permits can be approved and issued.
- d. Prior to the approval of any Building Plan and issuance of any Building Permit, the applicant shall prepare the acoustic analysis and incorporate the proposed project design recommendations and mitigation measures, into the Building Plans. The applicant shall submit the acoustical analysis along with the building plans to the [DPLU, BD] for review and approval before the building permits can be issued. To the satisfaction of the [DPLU, PCC], the applicant shall revise the building plans or site design to incorporate any additional proposed mitigation measures.

**Documentation:** The applicant shall indicate the noise restriction easement on the map as indicated on the tentative map. **Timing:** Prior to the approval of the map, the requirements of this condition shall be completed. **Monitoring:** The [DPW, LDR] shall verify that the easement is indicated on the map, and that the map details the language above.

### **C. BIOLOGICAL RESOURCES**

- 1. **BIOLOGICAL EASEMENT: [DPLU, PCC] [DPR TC, GPM] [DGS, RP] [MA, GP, IP] [DPLU, FEE X 2]. Intent:** In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO), a biological open space easement shall be granted. **Description of Requirement:** Grant to the County of San Diego and the California Department of Fish and Game by separate document, an open space easement, or grant to the California Department of Fish and Game a conservation easement,

as shown on the Approved Tentative Parcel Map. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exception(s) to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.
- c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- d. Uses, activities, and placement of structures expressly permitted by the Director of Planning and Land Use, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.
- e. Use, maintenance and reconstruction in the event of destruction by a natural disaster, of the existing structures on the Remainder Parcel in the location shown on the Approved Tentative Parcel Map.

**Documentation:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be executed and recorded. **Monitoring:** The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] and [DPR TC, GPM] for preapproval. The [DPLU, PCC] shall preapprove the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [DPLU, PCC] for satisfaction of the condition.

2. **LBZ EASEMENT: [DPLU, PCC] [DGS, RP][MA, GP, IP] [DPLU, FEEX 2] Intent:** In order to protect sensitive biological resources, pursuant to the Resource Protection Ordinance (RPO), a Limited Building Zone Easement shall be granted to limit the need to clear or modify vegetation for fire protection purposes within an adjacent biological resource area. **Description of Requirement:** Grant to the County of San Diego a Limited Building Zone Easement as shown on the Approved Tentative Parcel Map. The purpose of this easement is to limit the need to clear or modify vegetation for fire protection purposes within the adjacent biological open space easement and prohibit the construction or placement of any structure designed or intended for occupancy by humans or animals. The only exceptions to this prohibition are:
  - a. Decking, fences, and similar facilities.
  - b. Sheds, gazebos, and detached garages, less than 250 square feet in total floor area, that are designed, constructed and placed so that they do not require clearing or fuel modification within the biological open space easement, beyond the clearing/fuel modification required for the primary structures on the property.
  - c. Use, maintenance and reconstruction in the event of destruction by a natural disaster, of the existing structures on the Remainder Parcel in the location shown on the Approved Tentative Parcel Map.

- d. Use and maintenance for an onsite wastewater system (septic system).

**Documentation:** The applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the [DGS, RP], and pay all applicable fees associated with preparation of the documents. Upon Recordation of the easements, the applicant shall provide copies of the recorded easement documents to [DPLU, PCC] for approval. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the easements shall be recorded. **Monitoring:** The [DGS, RP] shall prepare and approve the easement documents and send them to [DPLU, PCC] for pre approval. The [DPLU, PCC] shall preapprove the language and estimated location of the easements before they are released to the applicant for signature and subsequent recordation. Upon Recordation of the easements [DGS, RP] shall forward a copy of the recorded documents to [DPLU, PCC] for satisfaction of the condition.

3. **OFF-SITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM]** **Intent:** In order to mitigate for the impacts to non-native grassland, which is a sensitive biological resource pursuant to the Multiple Species Conservation Program (MSCP), off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 3.8 acres of Tier III or higher Tier habitat, located within a BRCA in the Multiple Species Conservation Program (MSCP) as indicated below.

- a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:
  1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.

3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County within a BRCA in the Multiple Species Conservation Program (MSCP) as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
  2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
  3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
  4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager shall be selected, and the RMP funding mechanism shall be in place.
  5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage

the mitigation land Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**Documentation:** The applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **Monitoring:** The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

4. **OFF-SITE MITIGATION: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE X2] [DPR, GPM] Intent:** In order to mitigate for the impacts to wetlands, which are a sensitive biological resource pursuant to the Resource Protection Ordinance (RPO), off-site mitigation shall be acquired. **Description of Requirement:** The applicant shall purchase habitat credit, or provide for the conservation of habitat of 0.04 acres of wetland credits, located in the Rancho Jamul Mitigation Bank or other mitigation bank approved by the Director of Planning and Land Use as indicated below.
  - a. **Option 1:** If purchasing Mitigation Credit the mitigation bank shall be approved by the California Department of Fish & Game. The following evidence of purchase shall include the following information to be provided by the mitigation bank:



1. A copy of the purchase contract referencing the project name and numbers for which the habitat credits were purchased.
  2. If not stated explicitly in the purchase contract, a separate letter must be provided identifying the entity responsible for the long-term management and monitoring of the preserved land.
  3. To ensure the land will be protected in perpetuity, evidence must be provided that a dedicated conservation easement or similar land constraint has been placed over the mitigation land.
  4. An accounting of the status of the mitigation bank. This shall include the total amount of credits available at the bank, the amount required by this project and the amount remaining after utilization by this project.
- b. **Option 2:** If habitat credit cannot be purchased in a mitigation bank, then the applicant shall provide for the conservation of habitat of the same amount and type of land located in San Diego County as indicated below:
1. The type of habitat and the location of the proposed mitigation, should be pre-approved by [DPLU, PCC] before purchase or entering into any agreement for purchase.
  2. A Resource Management Plan (RMP) shall be prepared and approved pursuant to the County of San Diego Biological Report Format and Content Requirements to the satisfaction of the Director of DPLU. If the offsite mitigation is proposed to be owned and/or managed by DPR, the RMP shall also be approved by the Director of DPR.
  3. An open space easement over the land shall be dedicated to the County of San Diego or like agency to the satisfaction of the Director of DPLU. The land shall be protected in perpetuity.
  4. The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of DPLU: The land shall be purchased, the easements shall be dedicated, a Resource Manager

shall be selected, and the RMP funding mechanism shall be in place.

5. In lieu of providing a private habitat manager, the applicant may contract with a federal, state or local government agency with the primary mission of resource management to take fee title and manage the mitigation land. Evidence of satisfaction must include a copy of the contract with the agency, and a written statement from the agency that (1) the land contains the specified acreage and the specified habitat, or like functioning habitat, and (2) the land will be managed by the agency for conservation of natural resources in perpetuity.

**Documentation:** The applicant shall purchase the off-site mitigation credits and provide the evidence to the [DPLU, PCC] for review and approval. If the offsite mitigation is proposed to be owned or managed by DPR, the applicant must provide evidence to the [DPLU PCC] that [DPR, GPM] agrees to this proposal. It is recommended that the applicant submit the mitigation proposal to the [DPLU, PCC], for a pre-approval. If an RMP is going to be submitted in-lieu of purchasing credits, then the RMP shall be prepared and an application for the RMP shall be submitted to the [DPLU, ZONING]. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the mitigation shall be completed. **Monitoring:** The [DPLU, PCC] shall review the mitigation purchase for compliance with this condition. Upon request from the applicant [DPLU, PCC] can preapprove the location and type of mitigation only. The credits shall be purchased before the requirement can be completed. If the applicant chooses option #2, then the [DPLU, ZONING] shall accept an application for an RMP, and [DPLU, PPD] shall review the RMP submittal for compliance with this condition and the RMP Guidelines.

5. **OPEN SPACE SIGNAGE: [DPLU, PCC] [MA, GP, IP] [DPLU, FEE]. Intent:** In order to protect the proposed open space easement from entry, informational signs shall be installed. **Description of Requirement:** Open space signs shall be placed along the biological open space boundary of Parcel 1 and the Remainder Parcel as indicated on the approved Conceptual Grading and Development Plan. The signs must be

corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources**  
**Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: TPM 21133, ER 08-14-015

**Documentation:** The applicant shall install the signs as indicated above and provide site photos and a statement from a California Registered Engineer, or licensed surveyor that the open space signs have been installed at the boundary of the open space easement(s). **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the open space signs shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

6. **REVEGETATION PLAN: [DPLU, PPD] [MA, GP, IP]**

**Intent:** In order to mitigate for the impacts to coast live oak woodland, which is a sensitive biological resource pursuant to the Multiple Species Conservation Program (MSCP), revegetation shall occur. **Description of Requirement:** A Revegetation Plan, shall be prepared, which mitigates impacts to coast live oak woodland. The revegetation shall occur onsite along Harbison Canyon Creek. The revegetation plan shall conform to the Conceptual Revegetation Plan dated September 15, 2010, and the most current version of the [County of San Diego Report Format and Content Requirements for Revegetation Plans](#). The Revegetation Plan shall include the following:

- a. The monitoring plan shall be for a length of five years and have a 100 percent success criterion (15 trees).
- b. A preservation plan over the land to be revegetated shall be included in the Revegetation Plan. The preservation plan shall include evidence of dedication of an open space easement to the County of San Diego or evidence of

protection in perpetuity by some other means to the satisfaction of the Director DPLU.

- c. The report shall be prepared by a County approved biologist.
- d. Revegetation objectives, revegetation site biological resource map, 24"x 36" landscape plan, map showing revegetation areas according to mitigation type and amount, site preparation information, type of planting materials (e.g. species ratios, source, size material, etc.), planting program, 100 percent success criteria, and a detailed cost estimate.
- e. A cost estimate based on a 3% annual inflation rate shall be submitted and approved, which includes the cost of the plant stock and its installation, irrigation system and installation, cost of monitoring and maintenance of the revegetation area for the required monitoring period, and report preparation and staff time to review.

**Documentation:** The applicant shall prepare the Revegetation Plan, submit it to the [DPLU, ZONING] and pay all the applicable review fees and deposits. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the Revegetation Plan shall be approved. **Monitoring:** The [DPLU, LA] shall review the Revegetation Plan for conformance with this condition and the Report Format and Content Requirements for Revegetation Plans. Upon approval of the Plan, a Director's Decision of approval shall be issued to the applicant, and a request for compliance with condition 21 shall be made to enter into a Secured Agreement for the implementation of the Plan.

7. **SECURED AGREEMENT: [DPLU, PPD] [MA, GP, IP]**

**Intent:** In order to assure project completion and success of the Revegetation Plan in condition 20, a surety shall be provided and an agreement shall be executed. **Description of Requirement:** The applicant shall enter into a Secured Agreement with the County of San Diego as follows:

- a. The security shall consist of a letter of credit, bond, or cash for 100 percent of the estimated costs associated with the implementation of the Revegetation Plan and,

- b. Provide a 10 percent cash deposit of the cost of all improvements, but no less than \$3,000 and no more than \$30,000.
- c. The monitoring time and the length of time the Secured Agreement and cash deposit will be in effect starts at the time the installation is accepted by a County staff representative. The Secured Agreement and cash deposit shall be released upon completion of the Revegetation Plan implementation provided the installed vegetation is in a healthy condition and meets the 80 percent success criteria. Eighty- percent success rate and one hundred percent vegetative cover, excluding herbaceous species, shall be considered satisfactory completion of the Revegetation Plan.

**Documentation:** The applicant shall execute a Secured Agreement provided with the Revegetation Plan Final Decision, and provide the approved securities and the cash deposit for County monitoring time. The executed Agreement, cash deposit, and the securities shall be submitted to the *[DPLU, Landscape Architect]* for final review and approval. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, and after the approval of the Revegetation Plan, the agreement shall be executed and the securities provided for the revegetation plan implementation. **Monitoring:** The *[DPLU, LA]* shall review the Agreement cash deposit and securities provided are in compliance with this condition, and the Revegetation Plan Final Decision. The *[DPLU, LA]* shall sign the Agreement for the Director of DPLU and ensure the cash deposit is collected by *[DPLU, FISCAL]*. Upon acceptance of the Agreement, securities and cash deposit, the *[DPLU, LA]*, shall provide a confirmation letter-acknowledging acceptance of securities.

- 8. **WETLAND PERMITS: [DPLU, PCC] [GP, CP, MA] [DPLU, FEE X2]** **Intent:** In order to comply with the State and Federal Regulations for jurisdictional resources, the following agency permits, or verification that they are not required shall be obtained. **Description of Requirement:** The following permit and agreement shall be obtained, or provide evidence from the respective resource agency satisfactory to the Director of Planning and Land Use that such an agreement or permit is not required:

- a. A Clean Water Act, Section 401/404 permit issued by the California Regional Water Quality Control Board and the U.S. Army Corps of Engineers for all project related disturbances of waters of the U.S. and/or associated wetlands.
- b. A Section 1602 Streambed Alteration Agreement issued by the California Department of Fish and Game for all project related disturbances of any streambed.

**Documentation:** The applicant shall consult each agency to determine if a permit or agreement is required. Upon completion of the agency review of this project, the applicant shall provide a copy of the permit(s)/agreement(s), or evidence from each agency that such an agreement or permit is not required to the [DPLU, PCC] for compliance. **Timing** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the permits shall be obtained. **Monitoring:** The [DPLU, PCC] shall review the permits/agreement for compliance with this condition. Copies of these permits should be transmitted to the [DPW, ESU], for implementation on the grading plans.

9. **“TEMPORARY FENCING: [DPLU, PCC] [DPW,PDCI] [PC] [DPLU, FEE]. Intent:** In order to prevent inadvertent disturbance to onsite open space, temporary construction fencing shall be installed. **Description of Requirement:** Prior to the commencement of any grading and or clearing in association with this grading plan, temporary orange construction fencing shall be placed to protect from inadvertent disturbance of all open space easements that do not allow grading, brushing or clearing.
  - a. Temporary fencing is also required in all locations of the project where proposed grading or clearing is within 100 feet of an open space easement boundary.
  - b. The placement of such fencing shall be approved by the DPLU, Permit Compliance Section. Upon approval, the fencing shall remain in place until the conclusion of grading activities after which the fencing shall be removed.

**Documentation:** The applicant shall provide evidence that the fencing has been installed and have a California licensed surveyor certify that the fencing is located on the boundary of the open

space easement(s). The applicant shall submit photos of the fencing along with the certification letter to the [DPLU, PCC] for approval. **Timing:** Prior to Preconstruction Conference, and prior to any clearing, grubbing, trenching, grading, or any land disturbances the fencing shall be installed, and shall remain for the duration of the grading and clearing. **Monitoring:** The [DPLU, PCC] shall either attend the preconstruction conference and approve the installation of the temporary fencing, or review the certification and pictures provided by the applicant.”

10. **“RESOURCE AVOIDANCE: [DPLU, PCC] [DPW, PDCI] DPLU, FEE X2].**

**Intent:** In order to avoid impacts to raptors and migratory birds, which are sensitive biological resources pursuant to the Migratory Bird Treaty Act (MBTA), a Resource Avoidance Area (RAA), shall be implemented on all plans. **Description of Requirement:** There shall be no brushing, clearing and/or grading such that none will be allowed during the breeding season of raptors or migratory birds within Resource Avoidance Area (RAA) “A” as indicated on these plans. The breeding season is defined as occurring between January 15<sup>th</sup> and August 31<sup>st</sup>. The Director of Planning and Land Use [DPLU, PCC] may waive this condition, through written concurrence from the US Fish and Wildlife Service and the California Department of Fish and Game, provided that no nesting raptors or migratory birds are present in the vicinity of the brushing, clearing or grading. **Documentation:** The applicant shall provide a letter of agreement with this condition; alternatively, the applicant may submit a written request for waiver of this condition. Although, No Grading shall occur within the RAA until concurrence is received from the County and the Wildlife Agencies. **Timing:** Prior to preconstruction conference and prior to any clearing, grubbing, trenching, grading, or any land disturbances and throughout the duration of the grading and construction, compliance with this condition is mandatory unless the requirement is waived by the County upon receipt of concurrence from the Wildlife Agencies. **Monitoring:** The [DPW, PDCI] shall not allow any grading in the RAA during the specified dates, unless a concurrence from the [DPLU, PCC] is received. The [DPLU, PCC] shall review the concurrence letter.”

11. **OPEN SPACE SIGNAGE: [DPLU, PCC] [DPW, PDCI] [FG, UO] [DPLU, FEE].** **Intent:** In order to comply with Condition 18 pursuant to the adopted Mitigation Monitoring and Reporting

Program (MMRP) for TPM 21133, the signage shall be installed. **Description of Requirement:** The permanent open space signs shall be placed along the open space boundary of Parcel 1 and the Remainder Parcel as shown on these plans and the Approved Conceptual Grading and Development Plan for TPM 21133.

- a. Evidence shall be site photos and a statement from a California Registered Engineer, or licensed surveyor that the permanent open space signs have been installed.
- b. The signs must be corrosion resistant, a minimum of 6" x 9" in size, on posts not less than three (3) feet in height from the ground surface, and must state the following:

**Sensitive Environmental Resources  
Area Restricted by Easement**

Entry without express written permission from the County of San Diego is prohibited. To report a violation or for more information about easement restrictions and exceptions contact the County of San Diego,  
Department of Planning and Land Use  
Reference: TPM 21133, ER 08-14-015

**Documentation:** The applicant shall install the signage and provide the documentation photos and certification statement to the [DPLU, PCC]. **Timing:** Prior to the occupancy of any structure and prior to Final Grading Release ([Grading Ordinance Sec. 87.421.a.3](#)) the signage shall be installed. **Monitoring:** The [DPLU, PCC] shall review the photos and statement for compliance with this condition.

12. **"EASEMENT AVOIDANCE: [DPLU, PCC] [DPW, PDCI] [DPLU, FEE]. Intent:** In order to protect sensitive resources, pursuant to [County Grading Ordinance Section 87.112](#) the open space easements shall be avoided. **Description of Requirement:** The easement indicated on this plan is for the protection of sensitive environmental resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. It is unlawful to grade or clear within an open space easement, any disturbance shall constitute a violation of the [County Grading Ordinance Section 87.112](#) and will



result in enforcement action and restoration. The only exceptions to this prohibition are:

- a. Selective clearing of vegetation by hand to the extent required by written order of the fire authorities for the express purpose of reducing an identified fire hazard. While clearing for fire management is not anticipated with the creation of this easement, such clearing may be deemed necessary in the future for the safety of lives and property. All fire clearing shall be pursuant to the Uniform Fire Code and the Memorandum of Understanding dated February 26, 1997, between the wildlife agencies and the fire districts and any subsequent amendments thereto.
- b. Activities conducted pursuant to a revegetation or habitat management plan approved by the Director of Planning and Land Use, Parks and Recreation or the Director of Public Works.
- c. Vegetation removal or application of chemicals for vector control purposes where expressly required by written order of the Department of Environmental Health of the County of San Diego.
- d. Uses, activities, and placement of structures expressly permitted by the Director of Planning and Land Use, whose permission may be given only after following the procedures and complying with all requirements applicable to an Administrative Permit pursuant to The Zoning Ordinance of the County of San Diego.
- e. Use, maintenance and reconstruction in the event of destruction by a natural disaster, of the existing structures on the Remainder Parcel in the location shown on the Approved Tentative Parcel Map.

**Documentation:** The applicant shall provide a letter statement to the [DPLU, PCC] stating that all Sensitive Resource Easements were avoided during the grading construction, and that no impacts or encroachment into the open space occurred. **Timing:** Prior to Final Grading Release the letter verifying the easements were not disturbed shall be submitted. **Monitoring:** The [DPW, PDC] shall not allow any grading, clearing or encroachment into the open space easement.”

3. Critical Project Design Elements That Must Become Conditions of Approval:

The following project design elements were either proposed in the project application or the result of compliance with specific environmental laws and regulations and were essential in reaching the conclusions within the attached Environmental Initial Study. While the following are not technically mitigation measures, their implementation must be assured to avoid potentially significant environmental effects.

1. **COST RECOVERY: [DPLU, DPW, DEH, DPR], [MA, GP, IP]**  
**Intent:** In order to comply with [Section 362 of Article XX of the San Diego County Administrative Code](#), Schedule B.5 existing deficit accounts associated with processing this map shall be paid. **Description of requirement:** The applicant shall pay off all existing deficit accounts associated with processing this map. **Documentation:** The applicant shall provide a receipt to the Department of Planning and Land Use, Zoning Counter, which shows that all discretionary deposit accounts have been paid. No map can be issued if there are deficit deposit accounts. **Timing:** Prior to the approval of any map and prior to the approval of any plan and issuance of any permit, all fees and discretionary deposit accounts shall be paid. **Monitoring:** The DPLU Zoning Counter shall review the receipts and verify that all DPLU, DPW, DEH, and DPR deposit accounts have been paid.
2. **GRADING PLAN CONFORMANCE: [DPW, ESU] [DPR, TC PP] [GP, IP, MA]** **Intent:** In order to implement the required mitigation measures for the project, the required grading plan and improvement plans shall conform to the approved Conceptual Grading and Development Plan. **Description of requirement:** The grading and/or improvement plans shall conform to the approved Conceptual Grading Plan, which includes all of the following mitigation measures: temporary construction fencing, breeding season avoidance, open space fencing and signage and open space easement avoidance. **Documentation:** The applicant shall submit the grading plans and improvement plans, which conform to the conceptual development plan for the project. **Timing:** Prior to the approval of the map and prior to the approval of any plan and issuance of any permit, the notes and items shall be placed on the plans as required. **Monitoring:** The [DPW, ESU, or DPLU, BD for DPLU Minor Grading, [DPR, TC for trails and PP for park improvements] shall verify that the grading and or improvement plan requirements have been implemented on the final grading and or improvement plans as applicable. The environmental mitigation notes shall be made conditions of the issuance of said grading or construction permit.

3. **LINES OF INUNDATION: [DPW, LDR] [MA]**

**Intent:** In order to prevent future development in the flood plain and to comply with San Diego County Flood Control Ordinance, the Flood Lines of Inundation shall be shown on the map. **Description of requirement:** Lines of inundation to the limits of the 100- year flood along the watercourse, which flows through the property, shall be shown and labeled "Subject To Inundation By The 100- Year Flood" on the Parcel Map.

- a. A Civil Engineer shall provide the necessary hydrology and hydraulics to define the 100-year floodplain inundation limits and annotate the limits on a copy of the approved Tentative Parcel Map.
- b. Each parcel shall have a flood free building site to the satisfaction of the County of San Diego, Director of Public Works. If any of the parcels are found to be devoid of a buildable, flood free site for a residence, the subdivider shall take appropriate action so that each parcel does have a buildable flood free site. This pertains to watersheds having area of twenty five (25) or more acres.

**Documentation:** The applicant shall indicate the inundation lines on the Parcel Map as indicated above. **Timing:** Prior to the approval of the Parcel Map, the inundation lines shall be indicated and labeled on the map. **Monitoring:** The [DPW, LDR] shall verify that the inundation lines have been indicated pursuant to this condition.

4. **PUBLIC ROAD CONNECTION: [DPW, LDR] [MA].**

**Intent:** In order to ensure that the subdivision is connected to a publicly maintained road and to comply with the [County Subdivision Ordinance Section 81.702](#), recorded documentation shall be provided. **Description of requirement:** Recorded documentation showing that the land division is connected to a publicly maintained road by an easement for road purposes shall be provided. The easement shall be forty feet (40') wide as specified in County Subdivision Ordinance Section [81.702](#) of the County Code, and shall be for the benefit and use of the property being divided. Recordation data for said easement shall be shown on the Parcel Map. This requirement applies to off-site access to all proposed parcels. **Documentation:** The applicant shall submit to the [DPW, LDR], proof that the subdivision is connected to a publicly maintained road, and indicate the access on the parcel map. **Timing:** Prior to the approval of the parcel map, the connection shall be verified. **Monitoring:** The [DPW,

*LDR*] shall verify that the evidence provided meets the requirement of this condition.

5. **SIGHT DISTANCE: [DPW, LDR] [MA]**

**Intent:** In order to comply with the Design Standards of Section 6.1.(E) of the [County of San Diego Public Road Standards](#), an unobstructed view for safety while exiting the property and accessing a public road from the site, and unobstructed sight distance shall be verified. **Description of requirement:** There shall physically be minimum unobstructed sight distance based upon County Public Road Standards Section 6.1.E in both directions along Harbison Canyon Road from the private easement road serving the land division ("Los Caballos Lane").

- a. If the lines of sight fall within the existing public road right-of-way, the engineer or surveyor shall further certify that: "Said lines of sight fall within the existing right-of-way and a clear space easement is not required."
- b. The engineer or surveyor shall further certify that the sight distance of adjacent driveways and street openings on Harbison Canyon Road will not be adversely affected by this project.

**Documentation:** The applicant shall have a Registered Civil Engineer, a Registered Traffic Engineer, or a Licensed Land Surveyor provide a signed statement that physically, there is minimum unobstructed sight distance as detailed above, and submit them to the [DPW, LDR] for review. **Timing:** Prior to the approval of the parcel map the sight distance shall be verified. **Monitoring:** The [*DPW, LDR*] shall verify the sight distance certifications.

6. **FIRE TURNOUT EASEMENT: [DPW, LDR] [FIRE] [MA].**

**Intent:** In order to provide the appropriate fire turnaround pursuant to the San Diego Rural Fire Protection District standards and to comply with the [County Subdivision Ordinance Section 81.702](#), the easement shall be provided. **Description of Requirement:** The Parcel Map shall show a thirty-eight foot (38') minimum radius offset cul-de-sac located in the vicinity of the southwesterly corner of Parcel 4, to the satisfaction of the San Diego Rural Fire Protection District and the County of San Diego, Director of Public Works. **Documentation:** The applicant shall show the easement on the Parcel Map. **Timing:** Prior to approval of the Parcel Map, the easements shall be indicated on the Parcel Map. **Monitoring:** The [DPW, LDR] shall review the Parcel Map to ensure that the fire turnout easements are indicated pursuant to this condition.

7. **CENTERLINE LOCATION: [DPW, LDR] [MA].**

**Intent:** In order to promote orderly development and to comply with the [Subdivision Ordinance Sec. 81.703](#), the centerline of [Circulation Element Route] Harbison Canyon Road (SF 1402) shall be shown on the Parcel Map. **Description of requirement:** The location of the centerline for [Circulation Element Route] Harbison Canyon Road (SF 1402) shall be determined, which is shown on the Circulation Element of the County General Plan Update as a Light Collector Series 2.2E with bike lanes. The following shall be shown on the Parcel Map:

- a. The centerline location as approved by the Department of Public Works.
- b. Since [Circulation Element Route] Harbison Canyon Road (SF 1402) is not required to be constructed to ultimate, the following shall be shown on the Parcel Map as "nontitle" information:
  1. The width of the ultimate right-of-way which is a minimum thirty-seven feet (37') from the centerline and identified by a line drawn at the appropriate location and labeled, "Limit of Proposed Street Widening."
  2. A minimum building line width from the centerline of the road, identified by a line drawn at the appropriate location and labeled, "Limit of Building Line."

**Documentation:** The engineer or surveyor preparing the map shall contact the County of San Diego, Department of Public Works Route Locations Section, to determine the desired location of the centerline for [Circulation Element Route] Harbison Canyon Road (SF 1402), which is shown on the Circulation Element of the County General Plan Update as a Light Collector Series 2.2E with bike lanes. The applicant shall indicate the centerline on the map as indicated above. **Timing:** Prior to the approval of the Parcel Map, the centerline shall be indicated on the map. **Monitoring:** The [DPW, LDR] shall verify that the centerline is indicated on the map.

8. **UTILITY CONCURRENCE LETTERS: [DPW, LDR] [GP, IP, MA]**

**Intent:** In order to provide adequate notice to the serving utility companies that the public and private road improvements are going to possibly affect their utilities, letters of concurrence shall be provided. **Description of requirement:** Where private easement roads are not

being dedicated, or where each of the proposed parcels is not on a public street, letters shall be obtained from each serving utility company. The letters shall state that the arrangements are satisfactory to the utility for which the parcels being created serve. No letter will be required from the following: AT&T/SBC, Olivenhain Municipal Water District, Yucca Mutual Water Company, and the Rainbow Municipal Water District. **Documentation:** The applicant shall obtain the letters and submit them to the [DPW LDR] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the parcel map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

9. **UTILITY CONCURRENCE LETTERS: [DPW, LDR] [GP, IP,MA]**

**Intent:** In order to inform the local public entities and utility companies that the parcel map is going to be approved by the County, and to comply with Section 66436 of the Government Code, letters of concurrence for signature of on the map shall be provided. **Description of requirement:** A certification from each public utility and each public entity owning easements within the proposed land division shall be provided to the County. **Documentation:** The applicant shall obtain the letters, which state that all public entities have received a copy of the proposed Parcel Map, and that they object or do not object to the filing of the Map without their signature. The applicant shall submit the letters to the [DPW LDR] for review and approval. **Timing:** Prior to the approval improvement plans and the approval of the Parcel Map, the letters shall be submitted for approval. **Monitoring:** The [DPW, LDR] shall review the signed letters.

10. **ANNEX TO LIGHTING DISTRICT: [DPW, LDR] [DPLU, ZONING] [UO].**

**Intent:** In order to promote orderly development and to comply with the Street Lighting Requirements of the [County Subdivision Ordinance Section 81.707](#) the property shall transfer into the lighting district. **Description of requirement:** Allow the transfer of the property subject of this permit into Zone A of the San Diego County Street Lighting District without notice or hearing, and pay the cost to process such transfer. **Documentation:** The applicant shall pay the Zone A Lighting District Annexation Fee at the [DPLU, ZONING]. **Timing:** Prior to approval of the parcel map, the fee shall be paid. **Monitoring:** The [DPLU, ZONING] shall calculate the fee pursuant to this condition and provide a receipt of payment for the applicant.

11. **PRIVATE ROAD MAINTENANCE AGREEMENT: [DPW, LDR] [MA].**

**Intent:** In order to ensure that the private road approved with this

subdivision is maintained, the applicant shall assume responsibility of the private road. **Description of Requirement:** A maintenance agreement shall be executed that indicates the following:

- a. Maintenance shall be provided through a private road maintenance agreement satisfactory to the Director of Public Works.
- b. The Director of Public Works shall be notified as to the final disposition of title (ownership) to the onsite and offsite private easement road, and place a note on the Parcel Map as to the final title status of said road.
- c. Access to each lot shall be provided by private road easement not less than forty feet (40') wide.

**Documentation:** The applicant shall sign the private road maintenance agreement to the satisfaction of the Director of DPW and indicate the ownership on the map as indicated above. **Timing:** Prior to the approval of the Parcel Map, the agreement shall be executed and the ownership shall be indicated on the map. **Monitoring:** The [DPW, LDR] shall review the executed agreement and the map for compliance with this condition.

12. **PLANNED DRAINAGE FACILITY FEE: [DPW, LDR] [MA].**

**Intent:** In order to provide adequate flood protection for future occupants of the residential development, it is necessary to construct the planned drainage facilities to remove surface and stormwater from local or neighborhood drainage areas, to protect and benefit all property in the area, a fair-share fee shall be collected pursuant to the [Drainage Fee Ordinance No. 5856 \(N.S.\) of the County Regulatory Code Sections 810.201 to 810.215.](#) **Description of Requirement:** Participate in the construction of planned drainage facilities for Zone 3, Planned Local Drainage Area 71I (PLDA) by paying a drainage fee of \$440. The fee is to assist in financing the construction of the planned local drainage (PLD) facilities for the Zone 3 and Local Drainage Area. The fees established are based on estimated costs of the planned drainage facilities, which are apportioned within the drainage area on the basis of benefit conferred on the property. The fee will be used to contribute toward the construction of drainage facilities such as: reinforced concrete pipe culverts, corrugated metal pipe culverts, concrete-lined trapezoidal channels, rock-lined channels, reinforced box culverts, concrete dip sections, energy dissipaters, rip rap slope protection, etc., planned for Zone 3, Local Drainage Area 71I. **Documentation:** The applicant shall pay the fee as indicated above. **Timing:** Prior to the approval of the Parcel Map, the



PLDA Fee shall be paid. **Monitoring:** The [DPW, ZONING] shall collect the fee amount pursuant to this condition and provide a receipt for the applicant.

13. **TPM TRAIL EASEMENT: [DGS, RP] [DPR, TC] [MA]**

**Intent:** In order to promote orderly development by providing a trail connection pursuant to Section 21 of the County of San Diego General Plan, Community Trails Master Plan and to comply with the County Subdivision Ordinance Sections 81.703(q), the applicant shall dedicate a public non-motorized multi-use trail easement. **Description of requirement:** On the Parcel Map, dedicate to the County of San Diego, and accept, a ten (10) foot wide non-motorized trail easement along the project's western boundary adjacent to the road right of way for Harbison Canyon Road; and, a twenty (20) foot wide non-motorized trail easement along the project's eastern boundary, as shown on the Approved Tentative Parcel Map, on file with the Department of Planning and Land Use. **Documentation:** On the Parcel Map, the applicant shall offer to dedicate to the County of San Diego, and show all trails easement as accepted. **Timing:** On the Parcel Map, offer to dedicate to the County of San Diego, and accept all trails easement as shown on the Parcel Map. **Monitoring:** The [DPW, LDR] shall ensure that the trail easements are indicated on the final map. A copy of the recorded Parcel Map showing the trail easement shall be transmitted to [DPR, TC]

14. **TRAIL ACCEPTANCE: [DPR, TC] [DPW, PDCI] [UO, FG]** **Intent:** In order to ensure the trail has been constructed and/or improved in accordance with to the Community Trails Master Plan Design and Construction Guidelines, a final field inspection and acceptance must be made by the County. **Description of requirement:** The applicant shall improve to the satisfaction of the Department of Parks and Recreation and/or the Department of Public Works, a trail to a width stated above within the dedicated trail easement as indicated on TPM 21133. The trail shall be constructed in accordance with the Community Trails Master Plan Design and Construction Guidelines . **Documentation:** Upon completion of the trail, the applicant request in writing a final acceptance of the trail improvements. The applicant shall pass a final inspection and acceptance of the trail. A final inspection shall be coordinated with the [DPR, TC], and all applicable inspection fees shall be paid. **Timing:** Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the applicant shall improve the trail. **Monitoring:** The [DPR,TC] and or [DPW, *Private Development Construction Inspection*] shall review the trail for conformance with the plans for and with the Community Trails Master Plan Design and Construction Guidelines. Upon acceptance of



the trail, all financial securities (if any), for the construction of the trail facility shall be released.

15. **SEPTIC ABANDONMENT: [DEH, LWQ] [GP, BP, MA]**

**Intent:** In order to comply with [County Regulatory Code Section 68.313.1](#) the on-site waste water system (Septic System) which previously served a mobile home near the rear of the remainder parcel shall be properly abandoned. **Description of Requirement:** The septic system located in the eastern portion of the remainder parcel shall be pumped and properly abandoned under DEH guidelines. **Documentation:** Upon completion of the septic removal, the applicant shall contact [DEH, LWQ] to schedule a field verification inspection. The applicant shall submit proof of the septic tank pumping and pay all applicable inspection fees. **Timing:** Prior to the approval of the map and prior to the approval of any plan, issuance of any permit, the applicant shall have the septic system abandoned. **Monitoring:** Upon request of the applicant, [DEH, LWQ] shall perform a field inspection to verify that the septic system has been properly abandoned pursuant to this condition.

16. **SEPTIC REPAIR: [DEH, LWQ] [GP, BP, MA]**

**Intent:** In order to ensure that the on-site subsurface sewage treatment system (Septic System) for the existing second dwelling unit on the remainder parcel is adequate and complies with the [County Regulatory Code Section 68.311](#), the septic system shall be brought up to current standards. This would require the installation, under permit and inspection by the Department of Environmental Health, of an additional 100' of standard leach line. **Description of Requirement:** The septic system for the existing second dwelling unit on the remainder parcel shall be brought up to current standards. **Documentation:** The applicant shall apply for and receive approval for a septic repair to the system referenced above. The applicant shall contract with a licensed septic contractor or equivalent to complete the repairs/improvements to the satisfaction of the [DEH, LWQ]. Upon completion of the septic system repairs/improvements or removal, the applicant shall contact [DEH, LWQ] to schedule a field verification inspection and pay all applicable inspection fees. **Timing:** Prior to the approval of the map and prior to the approval of any plan, issuance of any permit, the applicant shall have the septic system repaired. **Monitoring:** Upon request of the applicant, [DEH, LWQ] shall perform a field inspection to verify that the septic system has been properly repaired pursuant to this condition.

17. **COVENANT OF IMPROVEMENTS: [DPW, LDR] [MA]**

**Intent:** In order to allow the deferment of the private improvements

required by [Subdivision Ordinance Sec. 81.708](#), a covenant of improvements shall be executed and recorded if the private improvements listed in this decision are not completed before approval of the tentative parcel map. **Description of requirement:** The applicant shall complete all of the private improvements or execute a Covenant of improvements pursuant to the [County Subdivision Ordinance Section 81.708](#), which lists the conditions that remain to be completed. An improvement plan and cost estimate shall be prepared for the private improvements and the estimated costs of the improvements shall be included in the Covenant. The Covenant shall be recorded and noted on the parcel map.

- a. Said Covenant shall be titled, "Covenant of Improvement Requirement, a Building Permit Prohibition." No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued.
- b. For water storage facilities and or fuel breaks, a release of improvement requirements is only required to state that the improvements have been complied with for the particular parcel for which a building permit is being requested.

**Documentation:** The applicant shall prepare the improvement plans, provide a cost estimate as indicated below:

- c. Improvement Plans with sufficient detail shall be prepared for the purposes of providing the required estimate of cost for the private improvements. The covenant shall note the estimate of cost to install and/or construct any deferred improvements. The estimate of costs shall be based upon the approved improvement plans.
- d. The plans shall include a signed statement by the private engineer-of-work which states, "The plans are sufficient for the purpose of providing the required estimate of the cost for the private easement roads, private facilities, and any other private improvements deemed necessary pursuant to the [County Subdivision Ordinance Section 81.708](#)."
- e. The estimate shall have the engineer's signature and stamp on the front page along with a statement that reads, "The estimate of the

approximate costs as of the date the estimate was prepared for the private improvements required by the final notice of approval and the [San Diego County Standards for Private Roads](#).”

The applicant shall prepare the map with the covenant. The Covenant shall be placed on the face of the parcel map, and recorded with the map.

**Timing:** Prior to the approval of the parcel map, improvements shall be completed or the plans and the cost estimate shall be prepared, approved and the covenant prepared and recorded. **Monitoring:** The [DPW, LDR] shall verify that the cost estimate’s validity, and that the plans can be approved, but shall stamped, “Not approved for construction,” pursuant to this condition. The [DPW, LDR] Map Processing shall verify that the covenant is recorded on the map.

18. **PRIVATE ROAD IMPROVEMENTS (COVENANT): [DPW, LDR] [MA]**

**Intent:** In order to promote orderly development necessary for public health and safety of the area, and to comply with the [Subdivision Ordinance Sec. 81.707 and 81.708](#), the required private improvements shall be completed or deferred. **Description of Requirements:**

- a. The private easement road serving the land division, both onsite and offsite, from the vicinity of the southwesterly corner of Parcel 4 to Harbison Canyon Road, shall be graded twenty-eight feet (28') wide and improved twenty-four feet (24') wide with asphalt concrete. The improvement and design standards of Section 3.1(C) of the [San Diego County Standards for Private Roads](#) for one hundred (100) or less trips shall apply.
- b. The offset cul-de-sac, located in the vicinity of the southwesterly corner of Parcel 4, shall be graded to a minimum radius of thirty-eight feet (38') and improved with asphalt concrete to a minimum radius of thirty-six feet (36'), to the satisfaction of the San Diego Rural Fire Protection District and the County Department of Public Works.
- c. Asphalt concrete surfacing material shall be hand-raked and compacted to form smooth tapered connections along all edges including those edges adjacent to soil. The edges of asphalt concrete shall be hand-raked at 45 degrees or flatter, so as to provide a smooth transition next to existing soil, including those areas scheduled for shoulder backing.
- d. The County of San Diego, Department of Public Works, shall be

notified before any private road construction. Copies of the blueline plans shall be submitted and an inspection deposit shall be posted.

- e. The structural section for the private road shall be approved by the County of San Diego, Department of Public Works Materials Laboratory, before construction activities commence pursuant to Section 3.11 of the San Diego County Standards for Private Roads.

**Documentation:** The applicant shall complete the following:

- f. Process and obtain approval of the grading or Improvement Plans to improve this private easement road, and provide the cost estimate. All plans and improvements shall be completed pursuant to the [San Diego County Standards for Private Roads](#) and the DPW [Land Development Improvement Plan Checking Manual](#).
- g. The improvements shall be completed and a secured agreement shall be executed pursuant to [Subdivision Ordinance Sec. 81.706.1 through 81.707](#), for the required improvements, or execute a covenant of improvements to defer the requirements until after the map is recorded.

**Map Timing:** Prior to approval and recordation of the Parcel Map, this requirement shall be completed or a recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilizes within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall review the plans for consistency with the condition and County Standards. Upon approval of the plans and cost estimate [DPW, LDR] shall have this condition placed in the covenant of improvements and recorded with the map.

19. **IMPROVEMENT CERTIFICATION: (DEFERRED) [DPW, LDR] [MA].**

**Intent:** In order ensure that the proposed work on the private road easement stays within the private road easement, and to comply with County ordinances and standards, a letter of certification shall be provided. **Description of Requirement:** The private easement road serving the land division, both onsite and offsite, including all slopes and the offset cul-de-sac, from the vicinity of the southwesterly corner of

Parcel 4 to Harbison Canyon Road, shall be constructed entirely within the easement, including drainage structures, for the benefit of the land division. If the slopes for the improvement fall outside of the easement, mitigating structures shall be utilized so the improvement is within the easement or letter(s) of permission shall be obtained and an engineer or surveyor shall further certify that letter(s) of permission have been obtained for work outside of the easement limits. **Documentation:** The applicant shall have a Registered Civil Engineer or a Licensed Land Surveyor provide a signed statement, which certifies that the improvements were constructed entirely within the easement, including drainage structures, for the benefit of the land division pursuant to this condition. **Map Timing:** Prior to approval and recordation of the Parcel Map, this requirement shall be completed or recorded in the covenant of improvements. **Covenant Timing:** No Building permit or further grant of approval for the development can be issued until the applicant completes the required improvements and applies for and receives a release of improvements from the Director of Public Works pursuant to [County Subdivision Ordinance Section 81.713](#), except a grading or construction permit and or permit to install utilities within a the private easement may be issued. **Monitoring:** The [DPW, LDR] shall verify that this requirement has been placed in the Covenant of improvements for the Parcel Map. Upon completion of the improvements, the [DPW, LDR] shall verify the accuracy of the certification letter pursuant to this condition.

20. **TPM TRAIL IMPROVEMENTS [DPR, TC] [DPW, LDR] [MA]**

**Intent:** In order to promote orderly development by providing a trail connection pursuant to Section 21 of the County of San Diego General Plan, Community Master Trails Plan and to comply with the Subdivision Ordinance Section 81.706.i through 81.707, the applicant shall improve the trail easements. **Description of requirement:** Improve or agree to improve to the satisfaction of the Department of Parks and Recreation and/or the Public Works, a trail surface of decomposed granite to a width of 10-feet wide along the project's western boundary adjacent to the road right of way for Harbison Canyon Road; and, clear/brush the 20-foot wide trail easement along the project's eastern boundary from any above ground obstructions or encroachments (such as large rock or boulders, trees, walls, fences, buildings, etc.). Evidence shall be provided in the form photographs and a signed stamped letter from a Registered Civil Engineer or licensed land surveyor, that certifies all obstructions and encroachments have been removed or eliminated from the trail easements as indicated on the approved Tentative Parcel Map. The trail adjacent to Harbison Canyon Road shall be constructed pursuant to the Community Trails Master Plan Design and Construction Guidelines.

**Documentation:** The applicant shall prepare improvement plans and provide securities for the construction of the trail and all associated work. The plans shall be submitted to *[DPR, TC]* and/or *[DPW, LDR]*, for review and approval. **Timing:** Prior to obtaining any building or other permit pursuant to this permit, and prior to commencement of construction or use of the property in reliance on this Permit, the applicant shall improve the trail adjacent to Harbison Canyon Road and clear the trail easement along the eastern boundary from encroachments/obstructions. **Monitoring:** The *[DPR, Trails Coordinator]* and/or *[DPW, LDR]* shall review the plans for conformance with the Community Trails Master Plan Design and Construction Guidelines, and the DPW Land Development Improvement Plan Checking Manual and approve all financial securities for the construction of the trail facility.

**ADOPTION STATEMENT:** This Mitigated Negative Declaration was adopted and above California Environmental Quality Act findings made by the:

Director of the Department of Planning and Land Use

on \_\_\_\_\_

Jarrett Ramaiya, Planning Manager  
Project Planning Division

EG:JR:ag